Before the
**FEDERAL COMMUNICATIONS COMMISSION**
Washington, D.C. 20554



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| In the Matter of | |
| Amendment of the Commission's Rules to Establish Rules and Policies Pertaining to a Mobile Satellite Service in the 1610-1626.5/2483.5-2500 MHz Frequency Bands | CC Docket No. 92-166 |

## Reply Comments of AirTouch Communications

AirTouch Communications ("AirTouch")(formerly PacTel Corporation) hereby replies to some of the comments on the Commission's proposed service rules for the MSS Above 1 GHz low-Earth orbit mobile satellite service.[1/] AirTouch filed initial comments in this proceeding in its role as a limited partner in GLOBALSTAR, L.P., the entity formed to obtain investment in and coordinate international service for the proposed GLOBALSTAR low-Earth orbit ("LEO") mobile satellite system to be operated by Loral/QUALCOMM Partnership, L.P. ("LQP"). AirTouch intends to be a GLOBALSTAR service provider in the United States.

In its comments in this proceeding, AirTouch discussed the public interest benefits from low-Earth orbit satellite systems, and urged the Commission to regulate MSS Above 1 GHz



1/ Amendment of the Commission's Rules to Establish Rules and Policies Pertaining to a Mobile Satellite Service in the 1610-1626.5/2483.5-2500 MHz Frequency Bands, CC Docket No. 92-166, 9 FCC Rcd 1094 (1994)(hereafter "NPRM").

space segment services as private carriage. AirTouch's initial comments also supported the use of C-Band for feeder links, in light of the greater efficiency and reliability of operations in that band. These positions were supported by other initial comments.[2/]

In general, the comments endorsed the Commission's tentative conclusion in the NPRM that the public interest would be well served by the establishment of low-Earth orbit satellite systems in this spectrum allocated on a global basis to mobile satellite services. Those benefits, including the provision of new and enhanced services, and incidental benefits such as the creation of jobs, may not redound fully to the benefit of the United States, however, if licensing of U.S. systems is delayed. Several other countries and administrations have expressed an interest in licensing Above 1 GHz LEO MSS systems. Thus, a failure on the part of the Commission to complete the rulemaking and license the systems expeditiously would result in the loss of the economic benefits, potential export opportunities and infrastructure enhancements that would have been provided directly to the United States by LEO satellite systems.

AirTouch therefore urges the Commission not to postpone action in the United States while awaiting other international developments, such as the upcoming World Radiocommunication Conferences or the expected modifications to the GLONASS

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[2/] See e.g., Comments of TRW at pp. 152-60, Comments of Motorola at pp. 61-67; Comments of LQP at pp. 83-101.

frequency plan.[3/] Likewise, the Commission should resist pressure from other countries to defer action while they develop their own regulations for LEO systems. The Commission instead should press ahead with the adoption of licensing and service rules and the licensing of the LEO satellite systems. Any necessary harmonization with subsequently-resolved international policies can be accommodated through the coordination process.

The Commission must accelerate its progress in finalizing LEO satellite services licensing rules if the United States is to maintain its world leadership in this important new satellite communications technology. Deferral would needlessly threaten all of the benefits that are poised to emerge from the implementation of LEO satellite systems in the United States, because the new services would be delayed and foreign-based systems would have an opportunity to "catch up" with the significant progress already achieved here. In order to ensure that the United States enjoys the enhanced efficiencies and new jobs that LEO systems promise, the Commission must not be distracted from its goals in this proceeding by the calls for delay issued by foreign administrations.

The lone voice in this proceeding arguing against the use of this band exclusively and promptly by LEO satellite systems, not surprisingly, was AMSC Subsidiary Corporation

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[3/] AirTouch believes that the Commission need not incorporate into its rules protections for the GLONASS system above 1610 MHz, since the GLONASS operations will in all likelihood be confined to below 1610 MHz. Several other initial comments likewise argued that only limited protection for GLONASS is necessary in light of the expectation that the GLONASS frequency plan will be modified. E.g., Comments of Motorola at pp. 42-46; Comments of TRW at pp. 125-29.

("AMSC"). AMSC contends that it should be granted use of the spectrum to add to the bandwidth it already has been licensed to use with its domestic geostationary mobile satellite service. AirTouch believes that the Commission correctly determined that this spectrum should be restricted to non-geostationary satellite systems.

AMSC's attempt to grab additional spectrum is little more than a transparent attempt to forestall competition to its domestic MSS services. While the Commission found it necessary in the case of the initial geostationary MSS to form a single consortium of all of the initial applicants rather than select a single licensee or multiple competitors from among that pool, it should not sacrifice the benefits of competition by extending AMSC's exclusivity to this newly allocated spectrum. Indeed, the public interest would be much better served by fostering the deployment of multiple, global LEO satellite systems, which can be accommodated in this band.

LEO satellite systems will be able to provide services that cannot be matched by AMSC's proposed use of the spectrum in the United States for geostationary MSS. The lower altitudes of the satellites result in need for much less power, making hand-held user transceivers practical. In addition, the lower altitudes eliminate the "delay" problem that hampers geostationary satellite communications.

AMSC attempted to belittle LEO satellite services by knocking down a "utopian" strawman of LEO satellite services that

has not been presented by LEO advocates.[4/] AirTouch recognizes that there are limits on LEO systems' capabilities -- e.g., voice service may not be available to individuals deep inside buildings (although geostationary satellites suffer from this same limitation). AirTouch believes, however, that LEO satellite systems will be able to provide valuable and reliable services to underserved markets throughout the world. AirTouch is willing to invest in this technology because there is tremendous demand for ubiquitous communications capabilities, and LEO satellite systems uniquely will be able to satisfy that demand.

LEO satellite systems are inherently global, because satellites will be visible from practically anywhere on Earth. There is only a limited amount of spectrum that has been allocated on a global basis for MSS. Confining use of that spectrum to a single region by licensing a geostationary satellite in the United States would preclude use of that spectrum by LEO satellite systems that would be re-using the spectrum throughout the world. It makes no sense to "warehouse" that spectrum by licensing a geostationary satellite system in this region, or depend on other geostationary satellite systems to be launched to serve other parts of the planet.

Thus, AirTouch believes the Commission must adopt its tentative decision, and restrict service in these bands to non-geostationary satellite systems. Such a policy will ensure competition to AMSC within the United States, availability of sophisticated telecommunications services within the United

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4/ AMSC Comments at i.

States, and the availability of efficient communications in underserved markets outside the United States as well. In addition, the public interest would be advanced by the export opportunities that will be promoted through these global communications systems that are based on U.S. technology.

The Commission now has a complete record on which to adopt licensing and service rules for this new above 1 GHz MSS. AirTouch believes that this record demonstrates that the public interest will best be served by expeditiously completing this proceeding and licensing the LEO applicants. In setting the rules, AirTouch urges the Commission to limit the service to low-Earth orbit satellite systems, to allow systems to use the C-Band for feeder links, and to allow the space segment services to be provided as private carriage. Through these actions, the Commission will have created a service that meets demand in underserved markets in the United States and around the globe, provides export opportunities and generates new jobs.

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## CERTIFICATE OF SERVICE

I, Laura E. Magner hereby certify that on the 20th day of June 1994, caused copies of the foregoing "Reply Comments of AirTouch Communications" to be served by U.S. mail, postage-prepaid, or by hand delivery (indicated with *), to the following:

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